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To: House Committee on Consumer Protection & Commerce

From: Cheryl Kakazu Park, Director

Date: February 10, 2022, 2:00 p.m.
State Capitol, Conference Room 415 and Via Videoconference

Re: Testimony on H.B. No. 1885, H.D. 1
Relating to Government Data

Thank you for the opportunity to submit testimony on this bill, which would create a Chief Data Officer and a Data Task Force within the Office of Enterprise Services. The Office of Information Practices supports this bill, which would help increase the availability of data held by state agencies both to the public at large and to other agencies.



STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
ON
HOUSE BILL NO. 1885, H.D. 1

February 10, 2022
2:00 p.m.
Room 329 and Videoconference

RELATING TO GOVERNMENT DATA

The Department of Budget and Finance (B&F) offers comments on House Bill (H.B.) No. 1885, H.D. 1.

H.B. No. 1885, H.D. 1, establishes a Chief Data Officer (CDO) and a data task force within the Office of Enterprise Technology Services (ETS) to develop, implement, and manage statewide data policies, procedures, and standards and to facilitate data sharing across State agencies. The bill appropriates unspecified general funds in FY 23 to ETS to fund the CDO position.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and

- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

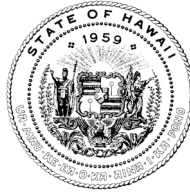
Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

DAVID Y. IGE
GOVERNOR



DOUGLAS MURDOCK
CHIEF INFORMATION
OFFICER

OFFICE OF ENTERPRISE TECHNOLOGY SERVICES

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Testimony of
DOUGLAS MURDOCK
Chief Information Officer
Enterprise Technology Services

Before the

HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Thursday, February 10, 2022

HOUSE BILL NO. 1885 HD1
RELATING TO GOVERNMENT DATA

Dear Chair Takayama, Vice Chair Clark, and members of the committee,

The Office of the Enterprise Technology Services (ETS) **supports House Bill No. 1885 HD 1**, as long as it doesn't affect the priorities identified in the Governor's Executive Budget request.

Thank you for allowing us to provide testimony.



Email: communications@uluPono.com

HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Thursday, February 10, 2022 — 2:00 p.m.

UluPono Initiative supports HB 1885 HD 1, Relating to Government Data.

Dear Chair Johanson and Members of the Committee:

My name is Micah Munekata, and I am the Director of Government Affairs at UluPono Initiative. We are a Hawai'i-focused impact investment firm that strives to improve the quality of life throughout the islands by helping our communities become more resilient and self-sufficient through locally produced food; renewable energy and clean transportation; and better management of freshwater and waste.

UluPono supports HB 1885 HD 1, which establishes a Chief Data Officer and Data Task Force within the Office of Enterprise Technology Services to develop, implement, and manage statewide data policies, procedures, and standards, and to facilitate data sharing across State agencies.

UluPono believes that it is vital to have transparent and consistent sources of data in order for the State to make important decisions and develop effective strategies that guide the policies and outcomes for the people of Hawai'i. There are many examples that show how accurate and timely data can support policy implementation. For example, UluPono's work in the local food sector included participation with the State's Farm-to-School pilot programs in Kohala and Mililani. The data collected from the 'Aina Pono local food school lunch program helped to demonstrate that local food procurement and cafeteria efficiency can lead to greater institution profitability. This, in turn, gave lawmakers, the private sector and non-profit contributors the justification to establish goals via Act 175 (2021) and Act 176 (2021) and continually invest in this government program.

Modern data practices and transparency will lead to greater efficiencies and overall government-operational effectiveness. Hawai'i's leaders owe it to our local communities to make informed, strategic decisions based on sound data. This bill will result in the prioritization of that data, and much-needed standardization of its collection, secure management, and accessibility across agencies.

Thank you for the opportunity to testify.

Respectfully,

Micah Munekata
Director of Government Affairs

Investing in a Sustainable Hawai'i

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House Committee on Consumer Protection & Commerce
Honorable Aaron Ling Johanson, Chair
Honorable Lisa Kitagawa, Vice Chair

RE: Testimony in Support of H.B. 1885 H.D. 1, Relating to Government Data
Hearing: February 10, 2022 at 2:00 p.m.

Dear Chair and Members of the Committee:

My name is Brian Black. I am the Executive Director of the Civil Beat Law Center for the Public Interest, a nonprofit organization whose primary mission concerns solutions that promote governmental transparency. Thank you for the opportunity to submit testimony **strongly supporting H.B. 1885 H.D. 1.**

Progress toward more efficient and publicly accessible government requires personnel focused exclusively on government data. Open and transparent government data cannot be an afterthought or it will never happen. A chief data officer and data task force would be well-situated to ensure that Hawai'i has the appropriate infrastructure and policies to carry the State into a new era of more efficient, open, and data-driven government.

Thank you again for the opportunity to testify in **support** of H.B. 1885 H.D. 1.



February 10, 2022

Representative Aaron Johanson, Chair; Representative Lisa Kitagawa, Vice Chair; and Members of the House Committee on Consumer Protection & Commerce

RE: Testimony in **support** of HB 1885, HD1, Relating to Government Data

Aloha Chair Johanson, Vice Chair Kitagawa, and committee members:

My name is Christine Sakuda and I serve as the executive director of Transform Hawai'i Government (THG), a coalition of organizations and individuals who advocate for an accessible, accountable and responsive state government that leverages technology to help citizens, communities, and businesses throughout Hawai'i to thrive. We provide a consistent and persistent voice to keep modernization a top priority of state government.

THG supports House Bill 1885, HD1, relating to Government Data, establishes a chief data officer (CDO) and a data task force, within the Office of Enterprise Technology Services. The aim is to develop, implement, and manage statewide data policies, procedures, and standards. Our commitment to data governance can have a residual impact throughout an organization as it emphasizes that steps are being taken toward a successful enterprise analytics strategy. The creation of a CDO signals that an institution is concerned with good data practices. The appointment of a CDO also signals a commitment to dealing with data and information in a coherent and integrated manner. Data governance is among the top 10 priorities among state chief information officers, according to the National Association of State Chief Information Officers (NASCIO).

It is imperative that the CDO position be funded with adequate resources to effectively do the job. We understand, and believe that the legislature does too, that investing in leadership is necessary to ensure that the state's digital government vision is achieved.

A CDO can lay the foundation for smarter policy decisions. Improved management of government data can help policymakers by enhancing their capability to gather insight on existing policy problems across different stakeholders. With strong data governance, policymakers can respond effectively to fast-changing consumer trends and needs. Policymakers can design and adapt innovative approaches; monitor the activities undertaken and policies implemented; and manage the resources (financial, time, human and material) mobilized to address policy challenges.

Technology is strengthening the capabilities of institutions. In particular, data technologies improve decision making and resource management. With data transparency and availability, institutional growth can be enhanced, and challenges tackled effectively. A dedicated CDO at the government level would ensure reliable access to empirical data, which is essential to providing information to decision-makers, both within and external of government. However exciting, the biggest impediments to leveraging data in industry and government is a shortage of individuals

with expertise in data, and resources to plan and implement a clear data strategy. A CDO would engage with local leaders to execute such a strategy to ensure that Hawai'i's data future is strong and efficient.

A CDO would also help to ensure that the government is working in tandem with leaders in the business and local community to grow and leverage our technological and human resources.

It's time to commit resources to develop a long-term vision, goals and objectives to enable all branches and departments of our State government to work in a coordinated fashion and finally establish an open data strategy. This includes facilitating vital sharing of data between State agencies, where possible, so that data shared across agencies contributes to the effective, efficient, and transparent delivery of information resources and services. HB 1885, HD1 will ensure that sufficient and appropriate resources are available to develop policies and procedures to implement standards with the goal of making data sets available to decisionmakers and data users, as intended under Section 27-44.3, Hawai'i Revised Statutes.

Thank you for the opportunity to provide testimony in support of this important bill.

Respectfully submitted,



Christine Sakuda
Executive Director

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February 8, 2022

Aloha, Rep. Aaron Ling Johanson, Chair; Rep. Lisa Kitagawa, Vice Chair; and members of the Committee on Consumer Protection & Commerce:

I am writing to express my **support** of HB1885 HD1, relating to government data and its intent to develop, implement, and manage statewide data policies, procedures, and standards and to facilitate data sharing across state agencies and with the public.

Colorado was the first state to appoint a Chief Data Officer (CDO) in 2011. By 2016 there were approximately 10 state CDOs, and today, there are approximately 25 state CDOs or equivalent positions across the country.

States are recognizing that data is a strategic asset, and they have great potential to unlock it for public good — for example to integrate data to better serve high need safety net users, or to respond more quickly to natural and public health disasters.

Hawaii, which already has strong open data practices, should be at the forefront of this area of governance.

Mahalo for your consideration.



Ryan Kawailani Ozawa

HB-1885-HD-1

Submitted on: 2/10/2022 12:34:56 AM

Testimony for CPC on 2/10/2022 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Cara Oba	Individual	Comments	No

Comments:

To Chair Johanson and Members of the CPC Committee:

As a design strategist with experience working on data projects, I would like to share my comments. I agree that many benefits can come with increased data accessibility, however, the bill's approach raises the following concerns.:

- **Data access does not equate to data utility.** Data is not information and often requires context or nuance to properly interpret. The simplest representation can easily be misread. For example, there may be biases in data sets due to collection methods. The default expectation should be that data sets are unusable without additional information, context, or transformation. It is highly unlikely that data will be usable as is.

- **Know the intention for data use first.** The utility and purpose of data should be evaluated prior to the sharing of data to provide the necessary context and/or formats to be usable. We want the data to be usable and useful for its known purposes otherwise it is a waste of time and effort. There is not an inherent good to sharing as much data as possible but rather, there are significant risks.

- **Data ethics should be a key consideration.** Data ethics is not mentioned in this bill and I would consider it critical. This goes beyond Personally Identifiable Information privacy issues. There are situations where groups or individuals could come to harm through discrimination or other inappropriate uses of data. Please consider reviewing this framework:

<https://resources.data.gov/assets/documents/fds-data-ethics-framework.pdf>

- **Data inaccessibility is due to a much bigger issue.** This lack of data isn't due to the lack of an appropriate management/leadership position. The devaluation of IT and long term lack of investment in supporting state departments/agencies has left IT departments weak and unable to successfully manage their independent operations with additional bandwidth to take on more complex integration or public-facing projects. The state needs to invest in more and better staffing of more diverse roles, training/professional development, and increased governance roles. IT needs to be prioritized as a resilience strategy more broadly.

I recognize that my opinions may be unpopular but I feel that they need to be voiced. I appreciate your consideration of my comments.

